

IN RE: PETITION FOR ZONING VARIANCE
N/S Bay Front Road, 80.95' W
of the c/l of Lodge Forest Road
(7610 Bay Front Road); and
N/S Bay Front Road, 131.57' W
of the c/l of Lodge Forest Road
(7608 Bay Front Road)
15th Election District
7th Councilmanic District
Rose Mroz - Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case Nos. 92-382-A, and
92-383-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Zoning Variance in which the Petitioner requests relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50.61' in lieu of the required 55 feet for a proposed dwelling at 7610 Bay Front Road, in accordance with the plan submitted in Case No. 92-382-A marked Petitioner's Exhibit 1; and a Petition for Zoning Variance requesting relief from Section 1802.3.C.1 of the B.C.Z.R. to permit a side yard setback of 1.5 feet in lieu of the minimum required 10 feet for an existing dwelling at 7608 Bay Front Road, in accordance with the plan submitted in Case No. 92-383-A marked Petitioner's Exhibit 1.

The Petitioner, Rose Mroz, appeared and testified. Also appearing on behalf of the Petitioner was David Mroz, Petitioner's son. There were no Protestants.

Testimony indicated that the subject properties, known as 7608 and 7610 Bay Front Road, consist of a total area of .455 acres, more or less, zoned D.R. 5.5, and are located within the Chesapeake Bay Critical Areas near Bear Creek. Rose Mroz testified that she has owned both properties for the past 40 years and currently resides in the existing dwelling

at 7608 Bay Front Road. Testimony indicated that the Petitioner's son is desirous of developing the adjoining property at 7610 Bay Front Road with a single family dwelling in accordance with Petitioner's Exhibit 1. Testimony indicated that due to the location of the existing dwelling at 7608 Bay Front Road, the requested variance to side yard setback requirements is necessary in order to develop the adjoining property. Further testimony indicated that due to the size of the two lots, both of which are 50.61 feet wide, the proposed dwelling for 7610 Bay Front Road cannot be constructed without a variance to lot width requirements. The Petitioner testified that the requested variance to side yard setback requirements is on the side of the property adjoining 7610 Bay Front Road and will not result in any detriment to the health, safety or general welfare of the surrounding community. Petitioner testified that they spoke with all of their neighbors who have no objections to their plans. Testimony indicated that to require strict compliance with the zoning regulations would result in practical difficulty and unreasonable hardship for Petitioners.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Solov, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

- 2 -

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land and/or structure which are the subject of the variances requested and that the requirements from which the Petitioner seeks relief will unduly restrict the use of this land due to the special conditions unique to these particular parcels. In addition, the variances requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's requests are in strict harmony with the spirit and intent of the B.C.Z.R.

Both properties are located within the Chesapeake Bay Critical Areas and as such, are subject to compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) upon completion of their findings. The granting of the relief requested herein is contingent upon Petitioner's compliance with their recommendations.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 5th day of June, 1992 that the Petition for Zon-

- 3 -

ing Variance requesting relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50.61' in lieu of the required 55 feet for a proposed dwelling at 7610 Bay Front Road, in accordance with the plan submitted in Case No. 92-382-A marked Petitioner's Exhibit 1; and the Petition for Zoning Variance requesting relief from Section 1802.3.C.1 of the B.C.Z.R. to permit a side yard setback of 1.5 feet in lieu of the minimum required 10 feet for an existing dwelling at 7608 Bay Front Road, in accordance with the plan submitted in Case No. 92-383-A marked Petitioner's Exhibit 1, be and are hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The granting of the relief requested herein is conditioned upon Petitioner's compliance with any and all recommendations made by DEPRM with regard to Critical Areas requirements upon completion of their findings.
- 3) When applying for a building permit, the site plan filed must reference these cases and set forth and address the restrictions of this Order.

TIMOTHY M. KOPROKO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date 6/5/92
By TMK

ORDER RECEIVED FOR FILING

Date 6/5/92
By TMK

ORDER RECEIVED FOR FILING

Date 6/5/92
By TMK

ORDER RECEIVED FOR FILING

Date 6/5/92
By TMK

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

June 5, 1992

(410) 887-1386

Ms. Rose Mroz
7608 Bay Front Road
Baltimore, Maryland 21219

RE: PETITION FOR ZONING VARIANCE
N/S Bay Front Road, 80.95' W of the c/l of Lodge Forest Drive
(7610 Bay Front Road); and
N/S Bay Front Road, 131.57' W of the c/l of Lodge Forest Drive
(7608 Bay Front Road)
15th Election District - 7th Councilmanic District
Rose Mroz - Petitioner
Case Nos. 92-382-A and 92-383-A

Dear Mr. Mroz:

Enclosed please find a copy of the decision rendered in the above-captioned matters. The Petition for Zoning Variance filed in both cases has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

TIMOTHY M. KOPROKO
Deputy Zoning Commissioner
for Baltimore County

cc: Chesapeake Bay Critical Areas Commission 21401
45 Calvert Street, 2nd Floor, Annapolis, Md.

DEPRM

People's Counsel

File



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 7610 BAY FRONT ROAD
which is presently zoned DR-5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 TO PERMIT
A LOT WIDTH OF 50.61' IN LIEU OF THE REQUIRED
55'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

TO BE DEVELOPED AT HEARING.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

Attorney for Petitioner

(Type or Print Name)

Signature

Address

City

(I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City

Name

Address

City

ESTIMATED LENGTH OF HEARING

the following date: _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: TMK DATE _____

ORDER RECEIVED FOR FILING

Date 6/5/92

By TMK

ZONING DESCRIPTION

Beginning at a point on the north side of Bay Front Road which is approximately 38 feet wide at the distance of 80.96 feet west of the centerline of the nearest improved intersecting street, the name of which is Lodge Forest Drive which is 20.48 feet wide. Being Lot #1031, in the subdivision of Lodge Forest as recorded in Baltimore County Plat Book #7, Folio #152, containing 9720.56 square feet. Also known as 7610 Bay Front Road and located in the 15th Election District.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15 Date of Posting 6/5/92
Posted for 6/5/92
Petitioner Rose Mroz
Location of property 7610 Bay Front Road, Baltimore County, Maryland
Location of Sign 7610 Bay Front Road, Baltimore County, Maryland
Remarks See attached petition and description
Posted by TMK Date of return 6/5/92
Number of Signs 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. 4/23, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/23, 1992.

THE JEFFERSONIAN,

S. Zeke Orlov

Publisher

\$39.76

NOTICE OF HEARINGS
The Zoning Commissioner of Baltimore County, by authority of the Zoning Law and Regulations of Baltimore County will hold a public hearing on the property described herein in Room 118, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 at the following:
Case Number: 92-382-A
80.96 Bay Front Road, 80.96 W of c/l Lodge Forest Drive
7610 Bay Front Road
15th Election District
7th Councilmanic District
Petitioner: Rose L. Mroz
Hearing Date: Monday, May 18, 1992 at 9:00 a.m.
Variance: to permit a lot width of 50.61 feet in lieu of the required 55 feet.
LAWRENCE E. SCHWARTZ
Zoning Commissioner of Baltimore County
NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3383, 4/28, April 25.

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: H9200396

3/30/92

PUBLIC HEARING FEE: \$35.00
ZONING VARIANCE FEE: \$33.00
TOTAL: \$68.00

LAST NAME OF OWNER: MROZ

Please Make Check Payable to Baltimore County
BA 000328PMD3-30-92

Cashier Validation

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: P-001-6150
Number: H9200396

92-382
92-383

Please Make Check Payable to Baltimore County
BA 000328PMD3-30-92

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

DATE: _____

Re: Rose L. Mroz
7608 Bay Front Road
Baltimore, Maryland 21219

RE: CASE NUMBER: 92-382-A
N/S Bay Front Road, 80.96' NW of c/l Lodge Forest Drive
7610 Bay Front Road
15th Election District - 7th Councilmanic
Petitioner(s): Rose L. Mroz

Dear Petitioner(s):

Please be advised that \$ 74.76 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID. ALSO, THE ZONING SIGN & POST SET(S) MUST BE RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

ARNOLD JABLON
DIRECTOR

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

APRIL 13, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 118, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 92-382-A
N/S Bay Front Road, 80.96' NW of c/l Lodge Forest Drive
7610 Bay Front Road
15th Election District - 7th Councilmanic
Petitioner(s): Rose L. Mroz
HEARING: MONDAY, MAY 18, 1992 at 9:00 a.m.

Variance to permit a lot width of 50.61 feet in lieu of the required 55 feet.

Lawrence E. Schmidt
Zoning Commissioner of Baltimore County

cc: Rose L. Mroz

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

May 7, 1992

Ms. Rose L. Mroz
7608 Bay Front Road
Baltimore, MD 21219

RE: Item No. 396, Case No. 92-382-A
Petitioner: Rose L. Mroz
Petition for Variance

Dear Ms. Mroz:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

Your petition has been received and accepted for filing this 9th day of April, 1992.

ARNOLD JABLON
DIRECTOR

Received By: W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Rose L. Mroz
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: April 14, 1992

TO: Arnold Jablon, Director
Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief
Development Review Section
Office of Planning and Zoning

SUBJECT: PETITIONS FROM ZONING
ADVISORY COMMITTEE - APRIL 13, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Paul R. Rochlin	-	Item No. 392
Ronald W. Chapman	-	Item No. 394
Rose L. Mroz	-	Item No. 396
Rose L. Mroz	-	Item No. 397
Charles G. Scherr	-	Item No. 398
Charles G. Scherr	-	Item No. 399
Louis M. Young	-	Item No. 400
Robert L. Jones	-	Item No. 403
S. Edward Hargest	-	Item No. 404
Gary W. Hohne	-	Item No. 406
George F. Nixon	-	Item No. 408
Steven R. Goff	-	Item No. 413

jm
PETITNS1.ZON

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: April 16, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Stephen E. Weber

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: April 13, 1992

This office has no comments for item numbers 392, 396, 397, 398, 399, 401, 404, 406, 407, 408, 413 and 418.

Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEW/dm

Baltimore County Government
Fire Department

700 East Joppa Road - Suite 901
Towson, MD 21204-5500 (410) 887-1800

APRIL 14, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: ROSE L. MROZ
Location: #7610 BAY FRONT ROAD
Item No.: 396 (JCM) Zoning Agenda: APRIL 13, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

The Department of Environmental protection and Resource Management offers the following comments on the above referenced zoning item.

See attached Chesapeake Bay Critical Area Findings.

JLP:sp

Attachments

JABLON/S/TXTSBP

TO: Mr. Arnold E. Jablon, Director
Office of Zoning Administration
and Development Management

DATE: June 25, 1992

FROM: J. James Dieter

SUBJECT: Petition for Zoning Variance - Item 396
Mroz Property
Chesapeake Bay Critical Area Findings

The subject property is located at 7608 Bay Front Road. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Ms. Rose Mroz

The applicant is not proposing any new construction. The applicant has requested a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations to permit "a side yard setback of 1.5 feet in lieu of the required 10 feet" to bring existing conditions into compliance.

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." (COMAR 14.15.10.01.0>

DEFINITIONS

"Development activities" means the construction or substantial alteration of residential, commercial, industrial, institutional, or transportation facilities or structures."

Findings: No development is proposed for this site in accordance with the definition above, therefore, a Critical Area Findings is not required. However, any new development or redevelopment on this lot must fully comply with the Chesapeake Bay Critical Area Regulations.

This proposal does not require a Chesapeake Bay Critical Area Findings, and is therefore approved. If there are any questions, please contact Ms. Patricia M. Farr at 887-2904.

J. James Dieter
J. James Dieter, Director
Department of Environmental Protection
and Resource Management

JJD:tjl

Attachment

cc: Ms. Rose Mroz

MROZ2/WQCBCA

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: May 21, 1992

FROM: Mr. J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item 396
7608 Bay Front Road
Zoning Advisory Committee Meeting of April 13, 1992

The Department of Environmental Protection and Resource Management requests an extension for the review of the above referenced zoning item to determine whether the proposed development is in compliance with the Chesapeake Bay Findings Plan for review and approval by this Department prior to preparation of a Critical Area Findings for the development. The applicant may contact the Environmental Impact Review Division of the Department at 887-2904 for details.

LJP:sp

JABLON/S/TXTSBP

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

[illegible]

PROPERTY ADDRESS 7610 BAY FRONT RD
SUBDIVISION NAME: LODGE FOREST
PLAT BOOK # 7, FOLIO # 152, LOT # 1031

ZONING VARIANCE

92-382-A



92-382-A



#396

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±		
DATE OF PHOTOGRAPHY	LODGE FOREST	S.E.
JANUARY 1986		7-1

IN RE: PETITION FOR ZONING VARIANCE
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TIMOTHY M. KOTROCKO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 387-1180

June 5, 1992

Ms. Rose Mroz
7608 Bay Front Road
Baltimore, Maryland 21219

RE: PETITION FOR ZONING VARIANCE
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(7610 Bay Front Road); and
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Rose Mroz - Petitioner
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Very truly yours,

TIMOTHY M. KOTROCKO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs
cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM

People's Counsel

File

92-383-A #397 Petition for Variance to the Zoning Commissioner of Baltimore County for the property located at 7608 Bay Front Rd. which is presently zoned DR.S.B.

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned (owner) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1 TO PERMIT A SIDE YARD SETBACK OF 1.5' IN LIEU OF THE REQUIRED 10'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be Developed as housing.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zip Code

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zip Code

(We do solemnly declare and affirm, under the penalties of perjury that we are the legal owners of the property which is the subject of this petition.)

Legal Owner(s)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zip Code

ESTIMATED LENGTH OF HEARING

the following date: June 11, 1992 10:00 AM

ALL OTHER DATE

REVIEWED BY: JCM DATE: 6/5/92

ORDER RECEIVED FOR FILING

Date: 6/5/92

By: [Signature]

ZONING DESCRIPTION

Beginning at a point on the north side of Bay Front road which is approximately 38 feet wide at the distance of 131.57 feet west of the centerline of the nearest improved intersecting street, the name of which is Lodge Forest Drive which is 40.48 feet wide. Being Lot #1030, in the subdivision of Lodge Forest as recorded in Baltimore County Plat Book #2, Folio #152, containing 10113.45 square feet. Also known as 7608 Bay Front Road and located in the 15th Election District.

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property described herein in front of the Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 92-383-A
N/S Bay Front Road, 131.57' W of c/l of Lodge Forest Road
7608 Bay Front Road
15th Election District
Petitioner(s):
Rose Mroz
Hearing Date: Monday, June 15, 1992 at 10:00 a.m.

Variance: to permit side yard setback of 1-1/2 feet in lieu of the required 10 feet.

LAWRENCE E. SCHMIDT
Zoning Commissioner
Baltimore County
NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3393.
4281 April 23.

CERTIFICATE OF PUBLICATION

TOWSON, MD. 4/23, 1992

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/23, 1992.

THE JEFFERSONIAN,

S. Zake Olson
Publisher

\$31.76

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-4150
Number: H9200397

DATE: 4/15/92

CHIEF OF BUREAU: JEB
CHIEF OF BUREAU: JEB
CHIEF OF BUREAU: JEB

PRICE: \$35.00
TOTAL: \$35.00

04A04#0032NICHRC
BA 000322PH03-30-92
Please Make Checks Payable To: Baltimore County

Validation

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: 92-382
92-383

DATE: 4/15/92

CHIEF OF BUREAU: JEB
CHIEF OF BUREAU: JEB
CHIEF OF BUREAU: JEB

PRICE: \$149.52
TOTAL: \$149.52

04A04#0110NICHRC
BA 011234PH05-30-92
Please Make Checks Payable To: Baltimore County

Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

Chesapeake Avenue
MD 21204 (410) 887-3353

DATE: 4/15/92

Re: Rose L. Mroz
7608 Bay Front Road
Baltimore, Maryland 21219

CASE NUMBER: 92-383-A
N/S Bay Front Road, 131.57' W of c/l Lodge Forest Road
15th Election District - 7th Councilmanic
Petitioner(s): Rose L. Mroz

Dear Petitioner(s):

Please be advised that \$ 74.76 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID. ALSO, THE ZONING SIGN & POST SET(S) MUST BE RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 115, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Arnold Jablon
DIRECTOR

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

APRIL 15, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 118, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 92-383-A
N/S Bay Front Road, 131.57' W of c/l Lodge Forest Road
15th Election District - 7th Councilmanic
Petitioner(s): Rose L. Mroz
HEARING: MONDAY, MAY 18, 1992 at 9:00 a.m.

Variance to permit a side yard setback of 1-1/2 feet in lieu of the required 10 feet.

Lawrence E. Schmidt
Lawrence E. Schmidt

Zoning Commissioner of
Baltimore County

cc: Rose L. Mroz

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

May 7, 1992

Ms. Rose L. Mroz
7608 Bay Front Road
Baltimore, MD 21219

RE: Item No. 397, Case No. 92-383-A
Petitioner: Rose L. Mroz
Petition for Variance

Dear Ms. Mroz:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

Your petition has been received and accepted for filing this 9th day of April, 1992.

Arnold Jablon
DIRECTOR

Received By: W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Rose L. Mroz
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: April 14, 1992

TO: Arnold Jablon, Director
Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief
Development Review Section
Office of Planning and Zoning

SUBJECT: PETITIONS FROM ZONING
ADVISORY COMMITTEE - APRIL 13, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Paul R. Rochlin	-	Item No. 392
Ronald W. Chapman	-	Item No. 394
Rose L. Mroz	-	Item No. 396
Rose L. Mroz	-	Item No. 397
Charles G. Scherr	-	Item No. 398
Charles G. Scherr	-	Item No. 399
Louis H. Young	-	Item No. 400
Robert L. Jones	-	Item No. 403
S. Edward Hargest	-	Item No. 404
Gary W. Hohne	-	Item No. 406
George F. Nixon	-	Item No. 408
Steven R. Goff	-	Item No. 413

jm
PETITNS1.ZON

RECEIVED
APR 21 1992
ZONING OFFICE

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21204-5500 (301) 887-4500

APRIL 14, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: ROSE L. MROZ
Location: #7608 BAY FRONT ROAD
Item No.: 397 (JCM) Zoning Agenda: APRIL 13, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Capt. Jerry Fisher Noted and Approved
Planning/Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

RECEIVED
By: _____

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: April 16, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Stephen E. Weber

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: April 13, 1992

This office has no comments for item numbers 392, 396, 397, 398, 399, 401, 404, 406, 407, 408, 417 and 418.

Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEW/dm

92-383-A 5-18-92

6761-92

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold E. Jablon, Director
Office of Zoning Administration
and Development Management

FROM: J. James Dieter

SUBJECT: Petition for Zoning Variance - Item 397
Mroz Property
Chesapeake Bay Critical Area Findings

DATE: June 24, 1992

RECEIVED
JUN 24 1992
ZONING OFFICE

SITE LOCATION

The subject property is located at 7610 Bay Front Road. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Ms. Rose Mroz

APPLICANT PROPOSAL

The applicant proposes to construct a new single family dwelling and has requested a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations to permit "a lot width of 50.61 feet in lieu of the required 55 feet."

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.0>

Mr. Arnold E. Jablon
June 24, 1992
Page 2

REGULATIONS AND FINDINGS

1. Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" <Baltimore County Code Section 26-449(a)>.

Finding: This property is located approximately 500 feet from the tidal waters of Old Road Bay; therefore, there is no disturbance of the shoreline buffer.

2. Regulation: "Dredging, filling, or construction other than approved bulkheading shall not be permitted in any non-tidal and tidal wetlands unless the proposed development consists of utility, bridge, or street development in a non-tidal wetland and unless the Director of Environmental Protection and Resource Management finds this proposed development not detrimental to the County's Wetland Management Programs" <Baltimore County Code, Section 26-447>.

Finding: No tidal or non-tidal wetlands exist on this site or in the vicinity of this site; therefore, no construction shall occur in any wetlands.

3. Regulation: "If a parcel or lot one-half acre or less in size was in residential use or zoned for residential purposes on or before December 1, 1985, then man-made impervious surfaces associated with that use are limited to 25% of the parcel or lot" <Baltimore County Code, Section 26-543(e)(1)>.

Finding: The proposed house creates impervious surfaces which sum to 13% of the lot. New impervious surfaces shall not be allowed which exceed 25% of the lot.

4. Regulation: "If no forest is established on proposed development sites, these sites shall be planted to provide a forest or developed woodland cover of at least 15%" <COMAR 14.15.02.04 C.(5)(e)>.

Finding: The following plant material shall be selected from the enclosed list and planted in addition to existing vegetation to provide a 15% forested cover.

Shrub and small tree list: 4 items - ball and burlap or 2 gallon container size

Tree list: 1 item - ball and burlap, 1 to 1½ inch caliper

Mr. Arnold E. Jablon
June 24, 1992
Page 3

Trees are an important factor in improving water quality. The roots of trees greatly improve the infiltration rate of storm water and efficiently remove nitrogen from subsurface flows of groundwater. Trees also act as both a barrier and a sponge, blocking and absorbing eroding soils and the phosphorous associated with them.

5. Regulation: "Infiltration of stormwater shall be maximized throughout the site, rather than directing flow to single discharge points" <Baltimore County Code, Section 26-453(h)(2)>.

Finding: Stormwater runoff shall be directed from impervious surfaces associated with this plan, to previous areas, to encourage maximum infiltration. Rooftop runoff shall be directed through downspouts and into drywells to encourage maximum infiltration.

6. Regulation: "Before the issuance of any Use and Occupancy permit within the Critical Area by the Department of Permits and Licenses, the Director of the Department of Environmental Protection and Resource Management, or his designee, shall determine that the development is in compliance with the Findings and Findings Plan as determined by the approving authority. The Use and Occupancy permit shall not be issued unless and until the Director of Environmental Protection and Resource Management, or his designee, certifies to the Director of Permits and Licenses that such development is in compliance with said Findings and Findings Plan" <Baltimore County Code, Section 26-455>.

Finding: The Chesapeake Bay Critical Area Program will inspect the property prior to the issuance of the Use and Occupancy Permit. The Permit will not be issued until the property is in compliance with the Chesapeake Bay Critical Area Regulations.

CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above. This proposal does comply with Chesapeake Bay Critical Area Regulations, and is therefore approved. If there are any questions, please contact Ms. Patricia M. Farr at 887-2904.

J. James Dieter
J. James Dieter, Director
Department of Environmental Protection
and Resource Management

JJD:tjl
Attachment

MROZ/WQCBCA

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature _____ Date 5/4/92

Project Name	Waiver Number	Zoning Issue	Meeting Date
11 Heather Green Court	392 ✓	No Comments	4-13-92
RP			
7610 Bay Front Road	396 ✓	No Comments	
(AT CBCA) DEPRM RP			
7608 Bay Front Road	72-383 A 397 ✓	No Comments	
RP			
6207 Ethel Ave. (Ivy Spring Terrace)	398 ✓	No Comments	
RP			
6210 Ethel Ave. (Ivy Spring Terrace)	399 ✓	No Comments	
RP			
2819 Georgia Ave.	400 ✓	No Comments	
RP			
9945-96 York Road (W. Bell property?)	401 ✓	No Comments	
RP			
3301 Edwards Lane (Parkside Marina)	402 ✓	No Comments	
DEPRM RP (AT CBCA)			
818 Berrymans Lane	403 ✓	No Comments	
RP			
Lot 102, Meadowcroft	404 ✓	No Comments	
RP			
16 (old) Old Court Road (Weinberg House (recent CRG))	405 ✓	No Comments	
RP			
207 St. Marys Road	406 ✓	No Comments	
DEPRM RP (AT CBCA)			

PROPERTY ADDRESS 7608 BAY FRONT RD
SUBDIVISION NAME LODGE FOREST
PLAT BOOK # 7, Folio # 152 Lot # 1030

ZONING VARIANCE

92-383-A
#397

☐ Special Hearing

CHECKLIST for additional required information

LODGE FOREST RD
N. COW RD
N. PINE CREEK RD
SUBJECT PROPERTY
Vicinity Map
Scale: 1"=1000'

LOCATION INFORMATION

Councilmanic District: #7

Election District: #15

1"=200' scale map#:

Zoning: DR5.5

Lot size: 1013.45

acreage square feet

SEWER: ☒ WATER: ☐

Chesapeake Bay Critical Area: ☒

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

JCM | 397 |

PETITIONER'S
EXHIBIT 1

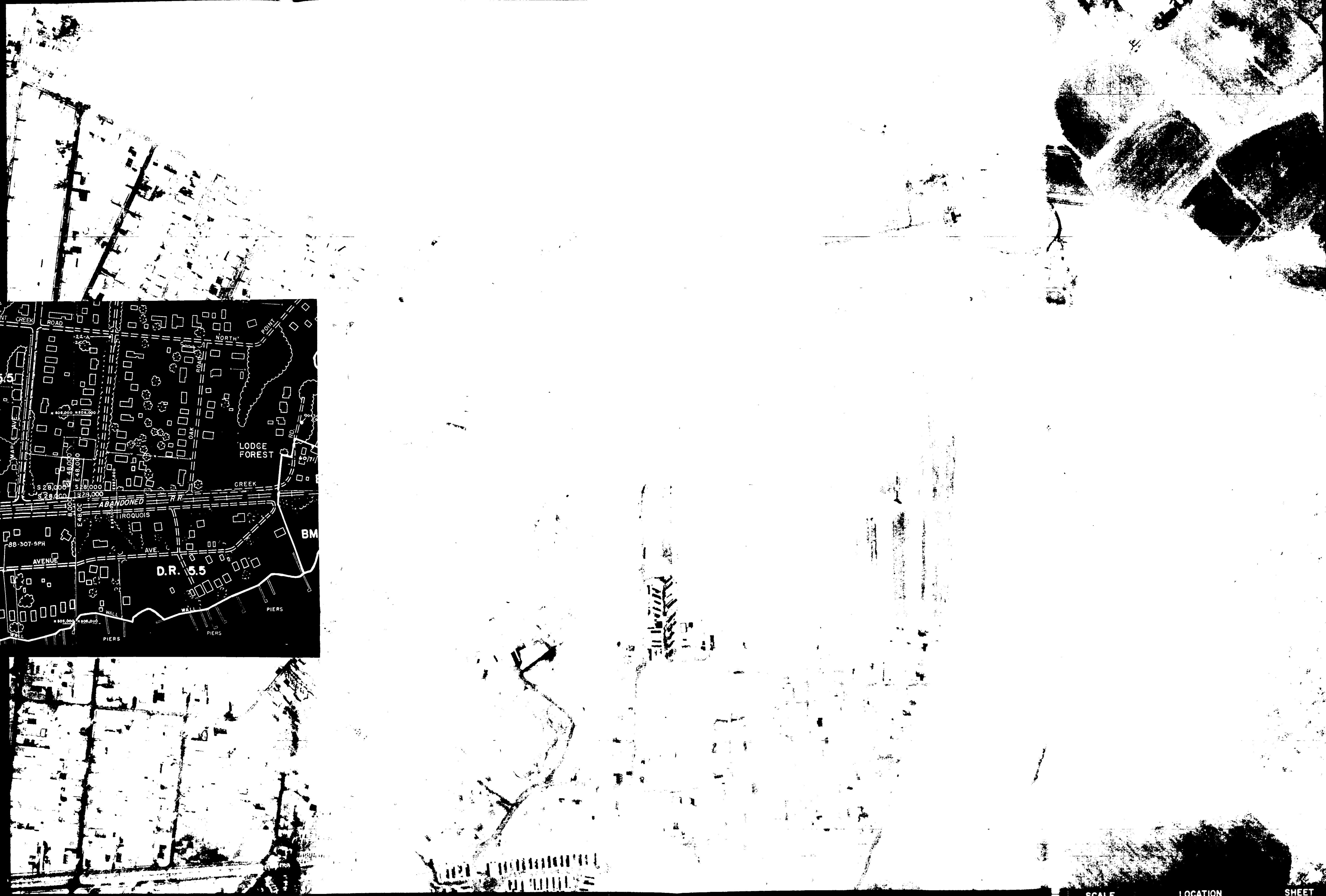
PREPARED BY: DAVID MROZ

DATE: 3-23-92

SCALE OF DRAWING: 1"=50'

UTILITIES IN ROAD
PROPERTY OWNER: ROSE MROZ





#397

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	LODGE FOREST	S.E. 7-1
DATE OF PHOTOGRAPHY JANUARY 1986		